1:Wilson E-5 (1934-1938) 1951 FN17 Ngonde FN17
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563 constitution (about which they asked many questions) was a
622 democratic one; for, they said, the Administration always supported the chiefs against the commoners.

621 The villages to which commoner leaders are appointed differ from all other Bantu villages of which we have knowledge in that they consist of groups of age-mates, not groups of kinsmen; boys build with contemporaries and remain with them through life; girls join the villages of their husbands at marriage; therefore relatives, other than husband and wife and young children, do
602 not live together. Nevertheless kinship ties are important, for property circulates within the kinship group rather than within the village, and kinsmen are believed to be mystically interdependent, in a way in which fellow villagers are not. The most prized
[556] possession of the Nyakyusa are cattle, for cattle enable a man to marry, to live in comfort, to gain prestige by feasting his friends; and cattle pass along the roads of kinship. They pass between brothers, and half-brothers, and the sons of brothers; between fathers and sons; and between affines. Kinsmen also participate in common rituals, praying to common ancestors, and seeking protection from mystical dangers which are thought to travel, like
[578] cattle, along the roads of kinship. Ever fearful lest a quarrel among them should bring misfortune on all, they strive to live in harmony.

The range of kinship recognized varies somewhat with the *status of the family concerned and the proximity and personalities* of its members, but, generally speaking, economic and religious co-operation link the descendants of a common grandfather, and
[581] marriage between the descendants of a common great-grandfather is excluded. A legal marriage is effected by the passage of cattle from the groom's group to the bride's, and it is this passage which is said to create kinship (*ubukamu*), with the consequent mystical interdependence, between a man and his wife, and between the one partner in a marriage and the close kinsmen of
595 the other. Polygyny is the ideal of every pagan, and it is made
●428 possible by the ten years' difference in the average marriage age of men and women. Girls are betrothed very young and finally join their husbands at puberty, while few pagan men marry under twenty-five. Inherited cattle are controlled by the older generation and polygyny is the prerogative of age. For property passes not directly from father to son, but from brother to brother,

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through each group of full brothers, until, when the last full brother is dead, and the son of the eldest is an adult, the family stock comes to him. Thus few men under forty (other than chiefs) have more than one wife. Of 3,000 tax-payers (presumed to be 18 years and over) in Selya, 34 per cent were bachelors, 37 per cent monogamists, and 29 per cent polygynists. Plural marriages breed wealth, for the polygynist is likely to command the labour of many sons as well as several wives, and in due course he expects to receive the marriage cattle of many daughters.

Social status turns primarily on age, sex, and the control and distribution of wealth. As we have seen, the position of a chief is hereditary, but kinship with a chief does not carry office, nor are the kinsmen of chiefs conspicuously wealthy. Every man in turn hopes to control the property attaching to the house into which he was born, and all who live long enough do so. But there is a delayed right of primogeniture, for the senior son of a senior son inherits the bulk of the family stock when it passes to his generation, and the eldest of each group of full brothers has a special claim to the cattle coming in from the marriages of his sisters.

Seniority, whether within the context of the lineage, or of the hierarchy of age-villages, is something respected in itself, but wealth carries authority and prestige only in so far as it is used generously, in hospitality: one man is great and distinguished *(nuiya) because he feeds people, another of little account* because he is poor or mean.

Women occupy a position very subordinate to men in Nyakyusa society. They play no part in public life, except in so far as the two great wives of a chief, and the first wife of a village headman co-operate with their husbands in rituals; and in the relationship of husband and wife, as well as in that of father and daughter, a woman is expected to show obedience and respect. Her deference is expressed conventionally in her crouching to greet men (*vide* Plate IX), and in her use of the submissive *toa* ('Yes, my lord') when addressed by them. Having no great chiefs and little regard for rank, Nyakyusa men show no trace of subservience in their manner to each other, but they expect a meek compliance from all women. The only relationships with a male in which a woman may in some measure assert herself are those which she has with a brother, and with a brother's sons. Leader-

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abakulumba) and their eldest sons are his two heirs in the chieftainship. Young girls, daughters of neighbouring chiefs, are carried off with a show of force from their fathers' homes, by the young chief's men, who themselves later contribute to the herd of cows sent to regularize the position. The two great wives are thus married not solely with the cows of their husband, but also with those of the men whose sons their sons will one day rule. The duty of arranging the match lies with the village headmen of the old chief, and it is said that they are often guided in their choice by dreams.

The girls who are carried off are just about to reach puberty, and they stay at the house of one of the men of the old chief until their periods begin. When both have reached puberty they are initiated, not at their fathers' houses, as are ordinary girls, but in the country of their husband, and both together. At their initiation the old men and women of the country (contemporaries of the old retiring chief) play the part normally played by a girl's parents and their neighbours, while the young chief and his men take the usual part of a husband and his friends. And then, after the ceremonies are over, the two girls are given to the young chief as his wives. Houses are built for them separately, *i.e.* in the senior age-village of the new chiefdom for the first wife, in the next senior village for the second wife; and in this separation of dwelling place is already apparent the future division of the chiefdom between their sons.

Within the chiefdom, and among the wives and children of the chief two 'sides' (*imibafu*) are recognized. Usually, in each country there are, at its beginning, at least two age-villages and half the wives of the chief on either side. This distinction of two sides is important in succession, a son from each side eventually inheriting half the country.

From the time of the 'coming out' of the two young chiefs till the day of their own father's death there exists between him and them a delicate balance of prestige and power. Each of the three, traditionally, has judicial authority in his own age-villages, but appeals in difficult cases may be taken from either of the young chiefs and their village headmen to the old chief and his village headmen, while the religious duties of chieftainship are exercised entirely by the old chief. But in the old days it was the young chief who fought and led men. 'Young chiefs used to lead their

1:Wilson E-5 (1934-1938)1951 FN17 Ngonde FN17
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of a married man is close to those of his neighbours, his banana grove probably adjoining theirs, while the main garden-lands of the whole group are all together at a distance (*vide* Plate III). Boundaries between age-villages are thus not always apparent to a stranger. A solid hundred acres or so of houses and bananas may turn out to consist of two or three villages, each with its own organization, and each having a block of garden-lands separate from the others.

If any question arises about the village a man belongs to, the points discussed are: where he has built and where he cultivates —i.e. to what village the land he uses belongs; with whom he herds his cows; and which village headman he goes to in case of a dispute. Membership of a village is therefore defined primarily in terms of economic co-operation and political allegiance.

d. Moving

The age-system is somewhat modified by men moving from one village to another. When a man dies his heir frequently comes and lives where the dead man was living, so becoming a member of his age-village. A man's heir is his full brother next to him in age, and only when all the full brothers of a family have died does the property pass to the eldest son of the eldest brother. The difference in the ages of a man and his heir is often, therefore, only a few years; but even if the difference be great, and the heir many years younger than his new neighbours, he is now treated as their contemporary. He sits with them at ceremonies and he shares their rights at any division of meat.

Were all heirs to remove to the homesteads of those who had died, the villages of old men would, of course, continue to exist indefinitely. In fact they do not. In Mwaipopo's chiefdom there remained only one small village of old men, the grandfathers of the generation which had last 'come out'. Other villages of this grandfathers' generation were remembered by name; the heirs of former members sometimes used the old name; but they did not live together as a group; they were members of other villages of their own generation. Even the heir of the headman of each old village, who acted as a priest, lived in some other village. It was said that these grandfathers' villages would disappear even in name when Mwaipopo, the father of the young chief died. No

1:Wilson E-5 (1934-1938) 1951 FN17 Ngonde FN17
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sites are preferred to others, but the division of them at the 'coming out' does not appear to create much friction.

When the old men move they still maintain rights over what may be regarded as the major 'improvement' made on their old sites, that is, trees which they or others have planted. There are two species which were traditionally and still are of great value to the Nyakyusa, the bamboo and the *unyungati*. Bamboos are used for house-building, while the *unyungati* produces a fruit which is both delicious to eat and also full of seeds which are dried and crushed for ointment. As has been shown in a previous essay[1] rights over these trees are maintained when individuals move from one village to another. Similarly, when a whole village moves, rights over bamboos are maintained, the former owner returning to cut them himself if he chooses. But the less valuable *unyungati* crop is left to the occupier. As one old man put it: 'We don't send our wives back to harvest the *imiyungati* trees lest the young men make love to them there.' Bamboos are felled by men. Further complications are now potentially created by the planting of coffee-trees, but we know of no case in which a 'coming out' has yet taken place in a chiefdom in which coffee has been extensively planted—the first coffee-planters were those living on mission land which is unaffected by the 'coming out' ceremony. Now that coffee planting is becoming general, however, the difficulties of moving whole villages will be much greater.

The only land which was traditionally excluded from the 'new deal' in each generation is the very scarce and valuable ground in the bottom of old volcanic craters. This land is owned by families, and is always claimed by a kinsman when the occupier dies or moves to another chiefdom. It may be that long ago the land in each particular crater was owned solely by members of some particular village, but now it is held by old families scattered all over the chiefdom in which it lies. Thus ordinary land, of which in the old days there was ample, was re-allotted in each generation, but the most valuable ground was passed down from father to son. We shall return to this point again in our last chapter.

As we have seen, movement of individuals from one village to another is very frequent. Normally land for building and gardens

[1] Godfrey Wilson, *The Land Rights of Individuals among the Nyakyusa*, pp. 43-5. Rhodes-Livingstone Papers No. 1, 1938.

1:Wilson E-5 (1934-1938)1951 FN17 Ngonde FN17
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22. 'THE BREATH OF MEN'

Mwaiwumo (*iziwa*).

'"The breath *of men*" is a very serious illness; if a person is ill from "the breath *of men*" he is in great trouble. Such a person never recovers until they pray (*lukwikemanya*). This illness comes especially when a man enters into his inheritance but does not perform the ritual, perhaps to bury him from whom he inherited—his father, or elder brother, or perhaps his mother's brother. As in the case of the estate of our mother's brother, Mwakaliku. When Mwambilike (informant's elder brother) inherited the woman Kyando, he did not perform the ritual for her. The woman was constantly ailing, but no one knew that she was suffering from this illness until they went to divine and found that she was ill from "the breath" because no ritual had been performed for her from the time she was inherited until now. So Mwambilike found a cow and called together all his dependants and his fellows in the village, and he killed the cow and told everyone about this illness. Then people "complained" (*ukwinjaja*), and said: "Indeed, may this illness finish." (It was neighbours who complained, not relatives.) From that time the woman concerned has never been ill again. So everyone says: "In truth, 'the breath *of men*' is very great."

'This illness is very serious, but it never kills people, though they are ill for a long time. If it is not discovered that this is the cause, the patient will be ill for a very long time, perhaps for two or three years. Yes, sometimes it kills when it has spread in the homestead, but people very rarely die from this illness.

'It is often seen in connection with inheritance. Another case occurred in my country. A certain man built with us who was *of a chief's* lineage. He inherited from a relative but he did not kill a cow at the death ritual. The wife he inherited was constantly ill until they went to divine and found that it was "the breath *of men*" (which was making her ill) because he had not performed a ritual since he entered into his inheritance. So he also found a cow and called people (non-relatives) and all his descendants, and killed the cow, and his fellow villagers "complained" (*ukwinjaja*). But I do not know whether the illness finished or not. What I do know is that he *found* a cow—I saw it myself when it was lying there dead and people gathered, relatives, descendants, and neighbours.

'*Ingoto* is a disease of children. It comes from the insults used by the mother of the child. It is commonly said that when a married

2: Wilson E-5 (1934-1938)1957 FN17 Ngonde FN17
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765 deceased was a man and wealthy, the heir kills a bull or cow for a feast.

765 184 According to one account, 'the heir kills a cow saying: "This is your cow, Father." Then he takes the praying calabash and fills it with beer and goes to the banana grove. The others sit in the courtyard watching from afar. He blows beer and then pours out a little, several times, mentioning the dead man's name and those of three or four prominent dead relatives, and prays for children, health, and food. He takes his own senior son (or the son of his dead brother) with him to see what he does, for he (the son) will do it after his death. Then they come back and the meat is eaten and beer drunk.' But we never saw this happen nor was the prayer in the banana grove mentioned by other informants.

782 765 If the millet put to soak fails to sprout, however, there must be prayer. It is thought that there has been disagreement among the mourners and the shades are angry and have spoilt the millet. The kinsmen gather to confess their quarrels and pray before preparing another batch.

765 At the shaving of the sprouting hair (or some other time during the death ritual) the sisters of the dead man formally admonish his widows on their behaviour as wives. One admonition recorded lasted two hours, and the main theme was the stinginess of the widows in entertaining their sisters-in-law when the latter had come to visit.

765 On the morning after 'the shaving of the sprouting hair' the par-
763 ticipants shave their whole heads and are anointed with ointment by
587 the officiant. In the evening comes the formal handing over of the inheritance, if the deceased was a married man. The heir sits in the doorway of the mourning hut and the senior wife of the deceased hands him a bill-hook, such as is used for pruning bananas. He is adjured by his relatives, his village headman, and his neighbours to care for the children of the deceased as if they were his own, and the widows are told: 'This is your husband who will love for you always.' If there is any division of property it is formally made on this occasion, the dead man's sisters and the village headman being primarily responsible for a just allocation. And though, traditionally, women were given no choice about inheritance, this was in fact the occasion on which their protests and preferences were expressed. Then the heir is thrown into the hut with the women he has inherited 'on to the ashes' (*umfwasalelo*), and must have intercourse with all of them that night. One of

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2: Wilson E-5 (1934-1938)1957 FN17 Ngonde FN17
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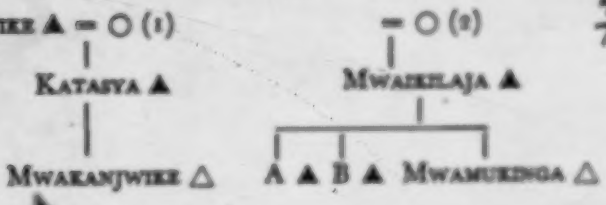

Mwaikilaja, the son of the junior wife, inherited, because when their father, Mwakyandwike, died, Katasya, the son of the senior wife, was a child. Mwamukinga is accused of killing Katasya by sorcery.

Mwakwelebeja came in to take me to the funeral of Katasya. 'It is 764
not the day of burial to-day, but the day of war. On the day of burial they weep very much and it does not go well (*jitenga*) but to-day it will be well performed.' He was eager and excited at the prospect of good dancing. 'The chief Mwabuga from Masoko, his son-in-law, is coming. He is coming with his drums. The people of Masoko dance well.' At first *I* refused to go, but he would take no refusal. 'You must come,' he insisted, so finally I went.

On the way we discussed the cause of death. Some say the witches 761
have eaten him. They say that Mwainyopoleia is angry on account of the meat. Some say it is the sorcery of Mwaihojo (the chief) because Katasya (a man of Chief Mwaipopo) hoed a big area in the disputed ground. He built a temporary hut and lived there. But we say no. If they had roused up a war between the witches, would they not have gone to Mwakagile (Chief Mwaipopo) and his fellows? But we have not done that. We argue and say: 'Why are you taking our country?' but we are only fighting with words.

QUESTION: The war of the witches?

MWAKWELEBEJA: Yes, the war when they call the witches of a chief- 754
dom by night to fight against those of another chiefdom. But Katasya 721
was indeed wrong to stint his neighbours in Busikali of meat. If he had 689
been wise he would have given them a leg. Mwainyopoleia is very generous. Always when he kills a beast he shares the meat with his fellows.

We arrived at the funeral. The women were packed together under a 764
tree to the left, where they had sat with the corpse yesterday. The girls and young women stood watching the dance and occasionally strolling rhythmically out into the midst of it. The errant son was with the other men to-day. The son-in-law from Masoko came with all his cattle (seven cows, one bull and five calves) of which one will be killed and the others returned. The bull was unusually large with an enormous hump and it caused comment. It was well known. They told each other how, when his father, Mwakabulwa, died, this bull was quiescent. It did not move about at all, and it was a very small calf. It was quiescent

2: Wilson E-5 (1934-1938)1957 FN17 Ngonde FN17
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went to catch the junior brother who was there, but from that time he has been ill. 754

QUESTION: Did Mwamukinga (the sorcerer) come to the funeral and did they give him meat? 754 764

MWAKYOMO: Yes, he came.

QUESTION: Is he not ashamed? Do people agree that they have worked sorcery against someone?

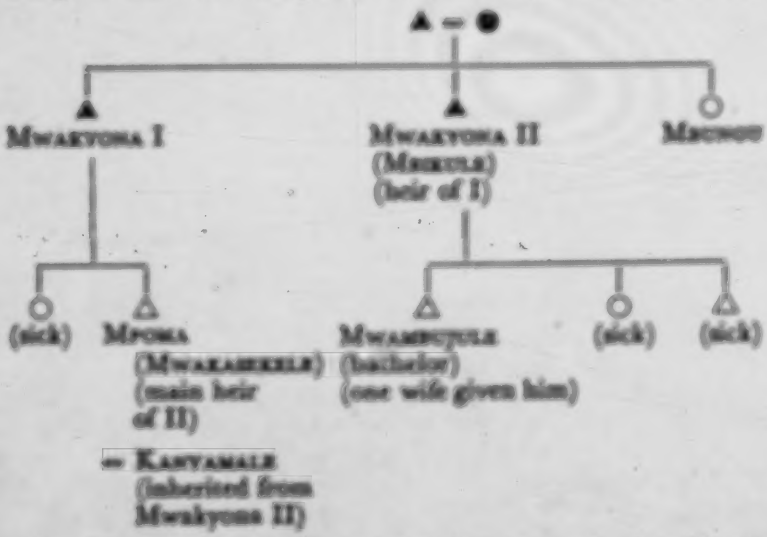
MWAKYOMO: They deny it.

QUESTION: Did they give him meat?

MWAKYOMO: Yes, they gave it to him.

(b) *Sickness in the lineage of Mwakyoma*

The following case also illustrates how several possible causes of mis- 753
fortune were considered—sorcery between kinsmen who were quarrelling over inheritance, the anger of the shades, and the jealousy of neighbours were mentioned. It shows, further, how expression of goodwill by those thought to be injuring a man is necessary for his recovery. The doctor treating the patient made the kinsmen confess their anger and gave them a medicine guaranteed to kill anyone working sorcery.



MWAKAMBO: When Mwakyoma died, his younger brother, Mwak- 423
yoma the younger, whom they call Mbikule, inherited. But Mbikule also died, so they sought Mwakinnde (the doctor and brother of the chief) and they asked him: 'To whom shall we give the inheritance?' The village elders, their fathers—those of the house—and their father's sisters, were those who saw to the matter of the inheritance. Then

2: Wilson E-5 (1934-1938)1957 FN17 Ngonde FN17
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● 426 Mwakiconde let Mpoma (Mwakasekele) take the inheritance because he is the eldest. Mwakiconde said: 'Let him be their father.' But when they gave the inheritance to Mpoma, they talked to one another and said that Mwambujule should take one wife because he did not have any wife. He was a bachelor. So they gave him one wife, but four wives of the father were inherited by Mpoma. After a little time Mwambujule said: 'My fellow has made a mistake with the property and he has
426 not given me anything.' So he strove to attract the mothers. He said:
576 'Come to me and let me inherit you myself.' The mothers agreed, they ran away and came to his place. Mpoma was angry and went to Mwakiconde to tell him that Mwambujule had attracted the mothers and taken them to his house. Mwakiconde said: 'Do not make a case.' The village headman went to Mwambujule to admonish him together with the mothers. Then he returned them to Mpoma.

754 Later on, illness appeared. The sister of Mpoma fell ill. They gave
757 her medicines to drink and she recovered. Then the brother of Mwambujule fell ill and the doctors said it was sorcery (*ubulogi*), that is, Mwakiconde thinks it is sorcery. This is also a common rumour. But, as will be seen later, the diviners, when appealed to, said: '*Mimba*,' that is, the shades.

755 When Mwakiconde saw the sick man, he called together all of them
754 that they might grumble (*kijanuwa*) and drive away the illness, because it is said that when people pray (*ukwipute*) the sickness from sorcery gets less. It is said if one has worked sorcery against his fellow he always hides himself, he does not appear at his friend's home, because, if he appears, if he comes and says: 'I am sorry for the illness (*ndaga ubuhiwi*),' even without praying at all, the illness disappears. Also, if a sick man has died, he does not go or he will die soon. It is said that the dead rise. Yes, it is the same in the case of witchcraft. Then also they say that if someone has 'eaten' his fellow he does not go to him, he hides himself at his own home, and if his fellow has died he does not go or he will die very quickly. The dead rise. In the prayer they especially drive away the shades, because it is said that sickness from the shades comes from us living. If, for example, I have done something bad to my fellow, and the shades are angry, but if he forgives me, they also forgive. He must express forgiveness openly in words of prayer (*amaya yamo ga kwipute*). If he forgives me only in his heart, the shades do not forgive. This prayer that we heard during the day had power both against sorcery and against the shades, they spoke of both. In the evening it was completed.

754 Mwakiconde called them all together and said: 'Friends, I am astonished that the illness has come again.' The people: 'Ho; this illness puzzles us very much.'

MWAKICONDE: 'For what reason does this man fall ill in the summer, and that man fall ill in the summer, and the other fall ill?'

4: Tew E-4 (no date) 1950 FN17 Ngonde FN17
Nga Kyusa

important relationships of kinship and affinity. Marriage cattle are not kept by the bride's father, but are distributed by him among her brothers for their marriages, and among his own brothers and half-brothers, who in turn give him cattle when their own daughters marry.

Half-brothers do not generally exchange cattle, but unless they do so there are no strong bonds of kinship between them. A polygynist usually counts the relationship of 'milking each other's cows', between his senior son and the eldest of each group of full-brothers by his other wives. He gives some of the marriage cows received for a daughter to one of her half-brothers, the latter being placed under an obligation to return the cows to the girl's eldest full brother some day from the marriage cattle of a sister or daughter of his own. The exchange once begun usually continues as sisters and daughters marry, and only lapses in the third generation, unless the principals quarrel and take legal action for 'separation'. Then a balance is drawn up of the cows exchanged from the beginning of the relationship, and the kinship is broken. The two thus 'separated' have no mutual obligations and do not attend each other's funerals.

Half-brothers may be linked by blood if their mothers are close kin; they may also be linked by cattle exchanges. The laws of inheritance make the full brothers of a man his first heirs, then his half-brothers linked by blood, then those linked by cattle have precedence over other half-brothers.[1]

The bond between a man and his mother's brother is expressed in terms of the passage of cattle. As the mother's brother married with the mother's cattle, her eldest son has the right to make free with his property in his lifetime, the right to receive one cow to set up a herd of his own, and a reversionary right of inheritance; if the mother's brother dies without heir, her son can claim the particular wife obtained with and the particular progeny of the cattle given for his own mother.

There is a strict custom of father and daughter-in-law avoidance. A woman may never speak to, approach, or look at her husband's father, on pain of death through the witchcraft of indignant neighbours. The prohibition is extended from her own father-in-law to all his classificatory brothers, and is the basis of the age-village system.[2] A man must also avoid his mother-in-law, but this prohibition is relaxed after the birth of a child.[3] The affinal relationship is also expressed by the obligations of a man to bring a cow to the funeral of his wife's father or brother, and to give one at the death of his own son-in-law. The former may count as part of his marriage payments in case of a claim for refund.[4]

The main kinship terms are as follows:

Ndoma — brother-in-law or sister-in-law; used by a man for all husbands of his 'sisters', all 'brothers' of his wives, and for the son of his wife's brother, since he has a right to marry that man's sister; by a woman for all wives of her 'brothers' and all 'sisters' of her husband.

Nkgoko — parent-in-law or child-in-law; used for the husband of a daughter, or for the parent of a wife or husband (a daughter-in-law is called by the special name of *Nkamwamu*). The wife of the wife's brother is called *Nkgoko*, as she is the mother of a potential wife, and of a brother-in-law.

[1] Wilson, A., 1938, p. 182; A., 1939, p. 6.
[2] Hunt, A., 1938, pp. 182–8; Mackenzie, 1925, pp. 43 and 108.
[3] Rattray, R., 1907, p. 222.
[4] Wilson, A., 1939.

4: Tew E-4 (no date) 1950 FN17 Nganda FN17

534 live with her husband until at least three cows have been given. One of the bulls is only given if the girl is virgin at her initiation rite, and this bull is given to her mother. The laws of inheritance and the system of marriage by cattle payments ensure that cattle will be in the hands of the older men. In general polygynists are men over forty-five.[1]

535 The first wife married is the chief wife, and is entitled to respect and obedience from her co-wives. Her first son is her husband's ultimate heir. A man cannot lightly divorce his first wife during the lifetime of his own father who provided the cattle
536 with which she was married. Divorce is effected by the return of the marriage cattle. Usually the woman has a lover who will pay cows to redeem her; if she refuses to go back to her husband there is no means of compelling her to do so, though in pre-European times her father and the chief might send her back. In such a case the husband would be entitled to his original payments plus their increase.[2] Men do not demand divorce for adultery unless it is persistent.[3] Divorce is often sought for very trivial reasons.[4] If the paternal uncles have helped the groom to collect his marriage cattle, the beasts are redistributed to their original donors after they have been returned to the husband.[5]

537 A man whose wife dies can claim a substitute or the refund of his cattle. When a
768 man dies his widows pass to his heir who takes them all as wives, if he is a brother of the dead man; if the heir is a son he takes all except his own mother and the wives who are her close kin. Inherited wives have the same legal rights as others.[6]

Inheritance

428 Brothers inherit before sons, their half-brothers (linked half-brothers before other half-brothers). When all the brothers are dead the property and wives of each pass to each one's eldest son.[7] This rule also applies to the Nyanwanga and Iwa.[8] The heir assumes the full obligations of father to his younger brothers and is responsible for their marriages; they live for him and are fed by his wives as are connected sons.[9] The sister's son only inherits if all near patrilineal kinsmen are dead or are infants.[10]

The above applies to commoners' inheritance only. For chiefs, succession and inheritance may follow different principles. For instance, in succession to local chiefdoms, two or more sons would divide the chiefdom. Among the Nganda the Kyungu and the great chiefs were not chosen according to strict genealogical right, but were selected from the appropriate families according to their wealth, generosity, and courage. In the succession to the great chiefdoms, there was formerly a difference of procedure in the two royal lines: that of Ngalonga, where the nobles of Nganda were sent by the Kyungu to help to select the successor; that of Nguru, the line of the female side, where the nobles of Nganda merely summoned the great commoners to discuss with them who was to succeed. Nowadays the difference between the two lines has disappeared, and the Ngalonga custom is followed for both. If the genealogical heir

[1] Wilson, G., 1938, pp. 107-9.
[2] Wilson, G., 1938, p. 184.
[3] Ibid., p. 82.
[4] Ibid., G., 1938, pp. 184-5; Henderson, K., 1939, p. 222.
[5] Wilson, G., 1938, pp. 11 and 18; Johnston, 1886, p. 421.
[6] Henderson, 1939, p. 22.
[7] Henderson, 1939, p. 20.
[8] Wilson, G., 1938, p. 21.
[9] Cardinall, 1931, p. 42.
[10] Wilson, G., 1938, p. 22.

4: Tew E-4 (no date) 1950 FN17 Ngonde FN17

was set aside in succession, his right to inherit the property and widows was none the less undisputed.[1]

SLAVERY (AMONG THE NGONDE)

Slaves were obtained by the Kyungu and chiefs in warfare and as fines for offences. The Kyungu gave women slaves to his important chiefs, thus strengthening the kinship bonds between them and himself, for the recipient would regard the Kyungu as his father-in-law if he took the woman to wife, and her children would be counted as grandchildren of the Kyungu. The owner of a slave was obliged to find a spouse for him or her, and a male slave could rise to positions of importance.[2]

LAND TENURE

No individual can own land unless he himself either works it or is a full member of the local community. Rights to land are only rigorously defined in cases of scarce and valuable land. Owing to witchcraft beliefs, movement from one place to another is constant. In taking up new land after a move, a stranger is granted land by the villagers acting through their great councillors, the chief being merely informed. Both chiefs and villagers welcome new-comers. If a man returns after absence to his own village he has a claim to enter into possession of his old building site and gardens. The claim varies in strength according to his relations with the villagers and the chief. If a man goes to a neighbouring village within a chiefdom, he can go on hoeing his old gardens, ownership depending on effective use.

Land *suitable for beans and maize* plots is the most valuable, as it is used continuously for years. Land for other crops is plentiful, so that if a man leaves a garden fallow for only two years anyone may cultivate it. The most scarce and valuable land is in the bottom of old volcanic craters, and in these cases rights are insisted upon, so that if a man moves to a new chiefdom, his next of kin claims his crater land. In other cases, when a man moves from a chiefdom, his old gardens revert to the joint ownership of villagers and chief. When a man dies his heir takes his wives, cattle, and moveable property, but not his land, unless he comes to live in the village.

Rights in trees *differ* according to the types of trees and according to local custom. In some cases rights in trees are lost when a man moves away, in others the rights to valuable trees are claimed by the nearest kinsman in the neighbourhood. Now that chiefdoms are no longer in a state of potential war with each other, the group within which property is held is wider. Coffee-trees have been declared by the Federation of Chiefs to be the property of the original planter, even though he may have moved to another chiefdom. The Agricultural Officer takes over abandoned coffee-trees to tend them for pest control.

Pasture is jointly owned by the whole village group, no individual having exclusive rights in it.

No direct charge is made for the right to build or cultivate. Certain obligations are owed to a chief in view of his over-lordship, e.g. providing cooked food for ceremonies of the chief's own immediate family, but this obligation is reciprocal, the chief being expected in return to kill beasts to feed the people.[3]

[1] Wilson, L. 1939, pp. 50–2. [2] Ibid., p. 48; Mackenzie, 1925, pp. 58–60.
[3] Wilson, L. 1938, pp. 50–58; Mackenzie, 1925, p. 62.

5:Wilson E-5 (1934-1938)1938 FN17 Ngonde FN17
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The Nyakyusa are, predominantly, a patrilineal people, for inheritance normally follows the male line. They differ, however, from the patrilineal peoples of Europe in that brothers inherit before sons. Inherited wealth is thus mainly kept in the hands of the older men, though they are under certain obligations towards their "sons" (whether own or classificatory) in their use of it. Marriage involves a transfer of anything from four to thirty head of cattle from the bridegroom to his father-in-law, and consequently the chief obligation which an older man has, both to his own sons and to the sons of any kinsman from whom he has inherited, is to provide them, in due time, with cattle for marriage. But this obligation is not an absolute one, it depends, in part, upon the due fulfilment by each "son" of his filial duties, which are, firstly, to hoe his father's fields diligently and, secondly, to maintain a respectful bearing towards him. Unmarried men have no gardens of their own, they work their fathers' land and eat the produce of it which their mothers cook.

Under modern conditions money for tax and clothes is necessary both to father and son, and very many young men visit the nearby Lupa gold fields regularly, for periods of a few months at a time, to earn it. A youth who always brings back to his parents after each spell of absence tax money and some presents is held to have done all his duty and he will be given marriage cattle just as soon and as readily as if he had spent all his time hoeing at home. And if he earns more, sufficient to purchase some of his marriage cattle for himself, still his father benefits, for the old man has then to spend fewer beasts from his own stock. But the Lupa needs food as well as labour and some unmarried men stay continuously at home and engage in the production of crops; after the family needs have been met the surplus is sold and from the proceeds the father pays his own tax and his sons' and buys clothes for them as well.

Hoeing, which is the hardest part of Nyakyusa cultivation, is normally done by men, planting; weeding, reaping and cooking by women. But some women nowadays do some hoeing too—if their husbands are away at work or if for any other reason they find it difficult to get enough ground prepared for them. Traditionally, I was told, women never used a hoe at all.

Polygyny is the rule rather than the exception among middle-aged men, and in a polygynous household, as we shall see, each wife has her own garden plots. The institution of polygyny has many other elements besides the economic, but the economic is not the least important of them: the taking of additional wives is the best capital investment which is open to an ordinary, uneducated, Nyakyusa peasant. A Nyakyusa wife is not her husband's property, she is his wife; but as family relationships are, among the Nyakyusa, the basis of economic activity, so the more wives

5:Wilson E-5 (1934-1938)1938 FN17 Ngonde FN17
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We have already seen in two examples that a man, when returning to the chiefdom from which he has moved, may recover his old gardens even though he builds in a different village. And it frequently happens also that a man comes to a village and asks for garden-land only, continuing to live in another village, or even in another chiefdom. Such requests the villagers always, so far as I know, grant willingly, for once a man has taken up land in a new village there is every prospect that he will one day move altogether and build there. In case of sickness he is more likely to move to the group where he is already half-established and sure of a warm welcome than anywhere else.

When a man moves he has the right to reap the crops standing in his old gardens as soon as they ripen, but after that the ground, save in the case of craters, reverts to the joint ownership of villagers and chief. And his building plot and bananas revert to them immediately. The next-door neighbours on either side keep the bananas clean and eat the fruit themselves until the plot and the bananas are given by the villagers, with the chief's approval, to another man. If the previous holder has moved to a place without bananas and not very far away he may, in the first year, send to his late neighbours and ask to be allowed to cut and carry away some of the banana fruit "for my bananas in my new plot have not yet grown." But his request is of grace and not of right, it may be refused. If the villagers like and respect him and hope to persuade him to return later it will always be granted, but if they dislike him and are glad to be rid of him then it will not. If the plot is a separate one without immediate neighbours then no one keeps the bananas clean and, unless someone else is given the plot soon, they get choked with weeds and die.

When a man dies the heir takes his wives, his cattle and his moveable property, and, if he comes to live in the dead man's village, his land also. But if the heir remains in his own old village[1] he has no rights over the dead man's land. The situation is then exactly comparable to that which obtains when a man moves from one village to another, his land rights in the old village lapse.

Rights in trees differ in some respects from rights in land and they differ also for different kinds of trees; and here, as an added complication, we are also faced with a difference of local custom.

Prior to the introduction of new trees by Europeans the only ones of any great value to the Nyakyusa were the bamboo (*ililasi*) and the *unyaga*ti tree, whose botanical name I have been unable to find out. Bamboos

[1] Owing to the age grouping among villagers and the long period which traditionally separated one pregnancy from another in a woman's life it is unusual to find full-brothers in the same village.

6:Wilson E-5 (1934-1938)1939 FN17 Ngonde FN17

that to the independent chiefdoms of the Nyakyusa, tied up with the custom of the "coming out" (*ukwanika*). In both areas the two senior sons of the two great wives of each ruling chief were publicly "brought out" about a generation after the "coming out" of their father; and from that time forwards the old chief went into semi-retirement while they divided his country between them. If it was a big country both of them would very likely be prosperous rulers; if it was not then one of them—the most generous rather than the senior—would probably in time attract the bulk of the people to him, leaving his half-brother little but the name of a chief. 622

Now both in Ngonde and among the Nyakyusa there was a certain tendency for other sons of an old chief, besides the two senior who were formally "brought out," to collect a few men round them and set up chiefdoms of their own. But it was in Ngonde that this tendency was most marked. And so today the chiefdoms of Ngonde are smaller than those of the Nyakyusa, for they have been far more split up. The reason for this difference appears to have lain in the very great prestige of Mbande, and so of all kinsmen of the Kyungu. There is a saying current in Ngonde: "Every son of the Kyungu is a chief." But no such saying is current among the Nyakyusa. And thus it has happened that often in Ngonde the men of an old chief have been divided up among four or five sons, not among two only; and the most successful of these four or five has not always been one of the two senior. If a junior son was a more generous leader of men than his seniors he would die a greater chief than they, for many of their followers would leave them and join him. So we see that the formal passing over of a mean or poverty-stricken chief in favour of a richer or more generous junior, in the selection of the great chiefs, was but an extension of a principle which already worked less formally among the little local chiefs themselves. 622 559

And, further, it must be emphasized that the principles of succession to high office in Ngonde and the principles by which property is inherited there were, and still are, wholly distinct. When the immediate heir of a Kyungu or a great chief is passed over in the succession he does not thereby lose his inheritance. The wives and property of the dead man are indisputably his. Full-brothers are the first heirs and after them either sons or half-brothers, in accordance with different circumstances, while a sister's son can only inherit if all near patrilineal kinsmen are either still in their infancy or already dead. 424

The traditional laws of succession to the Kyungship, the great chiefdoms and the fiefs of Ngonde thus present the student with a most interesting balance between different principles: heredity was modified 643 622 559

7: Sanderson U-5 (ca. 1920) 1923 FN17 Ngoode FN17

maternal uncle about, and she calls him *ukome*. As a sister's son comes very low down in the table of succession, this cannot be due to their prospective relationship should the maternal uncle die, and it may be that the relationship of husband's sister's son is (or was) regarded as analogous to that of wife's brother's daughter. On the other hand, if the father of X exercises his right to marry his wife's brother's daughter, this girl, from being the "sister" of X, becomes his "mother," and her mother (the wife of X's maternal uncle) becomes his "grandmother" and therefore his *ukoni*.

(7) Cross-cousins are classed as "brothers" and "sisters," and all first cousins are, therefore, unmarriageable.

(8) It is of interest to note that a kind of marriage by capture is still in vogue among the Wangonde. It may be performed either with or without the consent of the woman, but, except in the case of a woman to whom the man has a right by relationship, her father's sanction is necessary, and at least part of the dowry must be paid beforehand: usually, the woman is aware that the marriage has been proposed.

The bridegroom, assisted by some friends, either lies in wait for the woman, on the way to the water-supply for instance, or decoys her out of the village by means of a spurious message, and carries her off to his home. Her relatives would be bound in honour to rescue her if the bridegroom were so unskilful as to make it impossible for them to affect ignorance of the abduction. It is said that the marriage is sometimes consummated by force with the assistance of the companions of the bridegroom: in any case, a small present to the girl personally is necessary before consummation.

4. *Succession.*—The order of succession is liable to modification if the legal heir is considered unsuitable for any reason. The relationships are put in the following order of precedence:—

(1) Younger brother by same father and mother.
(2) Younger brother by same father and different mother.
(3) Any younger "brother."

Note.—It would be considered *infra dig.* for an elder "brother" to take the name of his junior, so that, although he has a prior right to the property, he would appoint a younger "brother" to the name. In such a case he may choose which of the "wives" of the deceased he likes, in addition to the estate.

(4) Eldest surviving son (even begotten).
(5) Eldest son of elder brother (by the same father).
(6) Eldest son of younger brother (by the same father).

7: Sanderson U-S (ca. 1920) 1923 FN17 Ngonde FN17

(7) Eldest *wanjasa*, *i.e.*, eldest son of eldest sister.
(8) Eldest son of a younger sister.
(9) Eldest grandson of the father's elder brother.
(10) Eldest grandson of the father's younger brother.
(11) Eldest grandson of the father's sister.
(12) Eldest grandson of the mother's sister.
(13) Eldest grandson of the mother's brother.
(14) Eldest grandson of the eldest brother by the same mother (not father).
(15) Eldest son of own son or daughter.
(16) Eldest grandson of a younger brother.
(17) Eldest grandson of a sister.

3. All *ukuba* must be "feared," *i.e.*, avoided on all occasions; a woman must cover her head *if unavoidably* in their presence. These rules do not differ greatly from those found in other parts of the world, except that a man's "fear" of his wife's mother is greatly lessened after the birth of a child to the couple. They have to be much more strictly observed by a woman than by a man.

II.—THE WALUNGA.

1. The term Walunga is somewhat loosely applied to a group of Bantu people living to the south of the Wanyondo, and is often used as synonymous with WaTumbuka, Wakamanga, and Wafipa. It is adopted here for convenience, though properly only applicable to those living in the valley of the S. Rukuru River, often called the Henga Valley; the word *henga* means "chief" in some Bantu languages, but the valley is said to have been named after a chief who settled in it.

The information detailed here as to relationships has been derived from natives whose birthplace is the Nkhamanga plains to the north of the S. Rukuru River and west of the "Henga Valley," but so far as has been ascertained it applies equally to the rest of the group. These people prefer to be called Wakamanga, and they have a tradition that their forefathers came from the East across the Lake (Nyasa): they are now, however, so mixed by inter-marriage with the other small groups mentioned above that the practice of including them all under the term Walunga has been followed here.

2. *Definitions.*—MUKWETU = "brother" to "sister," or "sister" to "brother." An elder "brother" is MKULU, a younger one MKUNU'UNA, of a man: the same terms are used by a woman of her "sisters." The children of the father's elder brother are called WAKULU irrespective of age, as also those of the mother's elder sister.

MWANKWETUWE ("my fellow-child," other forms MWANKWENYU, MWANKWAKE, etc., "your" "his fellow-child"). This term is often used as equivalent to "brother" or "sister" by either a man or a woman.

8:Wilson E-5 (1934-1936)1936 FN17 Ngonde FN17
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583
837 her and then returns to her first husband the cows he had given for her with two in addition as adultery fine. But this return is usually made only after the first husband has brought a lawsuit against him.

837 Adultery is extremely common now-a-days; when a man runs off
667 with, or is discovered seducing, a married woman and has not enough
177 cows to marry her, he is legally compelled to pay two cows for the adultery to her husband. In pre-European days an adulterer, if caught, was usually punished by the husband and his neighbours with death or extreme torture, and the old men tell me that adultery was then a rarer event.

584 The extent to which a girl is usually allowed to choose whom she
177 will marry is difficult to guage, and varies in different circumstances. Opportunities of meeting and flirting with young men at dances and ceremonies are frequent; and the older men say that, owing to the abolition by the Europeans of the old severe punishments for adultery, girls
585 are freer now than they used to be, for their lovers no longer fear to run off with them if they are married or bespoken (which is in Nyakyusa law very much the same thing). The custom of betrothing infant girls is, they declare, less common than it used to be; they are now more chary of pledging their daughters "for when they grow up they just run off with someone else." A girl's choice is, however, limited by the necessity of finding a lover who has cows, and few young men have enough to secure her if she is already married, though they may have enough to pay an adultery fine.

[428]
593 Owing, in part, to the laws of inheritance, by which a commoner's[a] full-brother inherits before his son, it is the older men who control the cattle. Every bachelor is largely or wholly dependent on his own father (or his dead father's heir) for the cows for his first marriage, and he must hoe his father's fields for many years before he is given enough to secure a wife and to set up a family of his own. Economic reciprocity is an element in most human relationships, and it enters into the Nyakyusa relationship of father and son. It is well understood, in this society, that
593 after a certain length of time spent hoeing his father's fields a young man
685 is entitled to some cows, if his father has any; and if his father delays too long the young man either stops hoeing for his father or else he takes legal action and enforces his claim. Between father and son such law cases are rare, but they are frequent between a young man and the brother of his father who has inherited his father's wives, property, and position in the family.

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[a] The laws of inheritance for a chief are, in certain respects, different; vide infra, "The Chieftaincy."
2 4 [Cat. 8b pp. 278 ff. — Ed. pp.]

8: Wilson E-5 (1934-1936)1936 FN17 Ngonde FN17
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586 her own father and the chief. A man has the right to divorce his wife, that is to send her away and demand back his cows, if she is dirty or lazy in housework or if she commits adultery, but men do not often demand a divorce for adultery unless it is persistent. If a man sends his wife away for some such reason she returns to her father and he, if he has cows available, sends back to her husband his marriage-cattle, if he has not got the cows the husband must wait until the girl is remarried.

593 857 Into the relationship of mother and daughter economic co-operation and reciprocity enter. The care of young children is largely in the hands of their elder sisters, and the girls also help their own mothers in field-work and in fetching and carrying. In return their mothers cook for them, teach them how to cook themselves and how to make mats.

585 593 Each mother is responsible also for her own daughter's virginity. One of the bulls which a young man brings during the initiation of his betrothed wife is only given if the girl is found on examination to be still virgin, or if he has defloured her himself. If it is given this bull belongs to the girl's mother to eat with her own friends. But, in spite of her [849] mother's responsibility for her, a girl learns nothing positive from her mother about sex, but from her own slightly older friends; with them she discusses the technique of love-making in detail, but never with her mother.

593 The relationships of siblings are, in general, closer than those of half-siblings, and the eldest son in each individual family is privileged above his brothers. A boy's claim for cattle is, as we have seen, partly based on the time and energy he has put into hoeing his parents' fields; but it also depends, in part, on having full-sisters of his own. When a girl marries the cows come to her father, but her own full-brothers expect to receive these cows, in time, for their own marriages, in the order of their age. Though the father controls the cattle the brothers speak of them as "our cows" and they have an ultimate legal claim to them, which only gross laziness or insult to their father can altogether vitiate. The eldest of a group of full-brothers is the first to draw on these cows and to marry, his juniors wait longer. Full-brothers are bound together in many ways; the eldest, who is privileged, is bound to help his juniors in any way he can, and they in turn respect him and in time give to him some cows from the marriages of their own daughters; 593 and each makes the others' quarrels his own. What chiefly unites them 428 in the law of inheritance, for though the eldest has first right to the cattle from their sisters' marriages, and though the younger ones, later in life, give cattle from their daughters' marriages to him, yet they are his heirs, and all his privileges in time pass to them. When the eldest dies his next

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full-brother steps into his place, takes his wives, huts, land and cows and looks after his children; after him the next full-brother inherits and so on, until, when all are dead, the property and wives of each pass to each one's senior son.[3]

The heir has exactly the same obligations to his predecessor's children that the dead man had himself while alive, but frequently he has less will to perform them; and his conformity is often only assured by the pressure of legal and religious sanctions.

This rule of inheritance is part of a more general fact, which is that, in Nyakyusa society, death does not break a family and its relationships, but simply alters the particular people between whom these relationships obtain. Only rarely does death leave a man or woman widowed, or a child orphaned; nearly always some one is at once substituted in place of the one who has died. When a woman dies young her parents are bound either to give another daughter to her husband or else to return the marriage-cattle to him so that he can obtain another wife; when a man dies his wives and children are not left alone but taken by his heir. If the heir is a brother he takes all the women as his wives, if a son he builds a separate hut for his own mother and takes the others. And the heir is now "the father" of the dead man's children. Even when a man and all his full-brothers are dead the families of each are still united for some purposes under the leadership of each one's senior son (eldest son of chief wife). The senior son is now called "father" by his siblings and half-siblings, he is religiously responsible for them all (*vide infra*), he normally exchanges cows with the eldest brother in each individual family (*vide infra*.), he is entitled to their respect and obedience.

Half-brothers may, or may not, be linked especially closely together. They may, as we have seen, be linked by blood when their two mothers are either sisters or close kinswomen, they may also be linked by an exchange of cattle, by "milking each other's cows" (*ukukamanda*). Each group of full brothers regards the cows that come in from the marriages of their sisters as their own cattle, but the father disposes of these cattle as he wishes. If he gives some of their cows to a half-brother, he thereby creates between the eldest of the group and this man the special relationship of "milking each other's cows;" and it is expected that the cows given will in time be returned by this half-brother from the marriage-cattle either of a full sister or of a daughter of his own. And the exchange once begun goes on; as their sisters and daughters marry

[3] This refers to commoner's inheritance only.

8: Wilson E-5 (1934-1936)1936 FN17 Ngonde FN17
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593 they continually give each other cows; between their respective sons also the exchange usually continues, but between their grandsons it lapses.
593 Reciprocity is expected and can be legally enforced, but it is not insisted
686 upon so long as the two men concerned are friends, and its legal enforcement at once breaks the relationship. If two such half-brothers (or their sons) quarrel, one may take legal action for "separation" (*ukulekana*) against the other. The cows that have been handed over by both sides since the beginning of the relationship (perhaps twenty or thirty years before) are counted up, and one or the other is ordered to pay over the balance to make the numbers equal. After this the two are "no longer kinsmen," they have no mutual obligations and do not attend each other's funerals.

593 It is usual for a father to create this relationship between his senior
428 son and the eldest of each group of full-brothers, so that by this exchange of cows the family is held together. The linkage of half-brothers, whether by blood or by "milking each others cows," is important in inheritance. If a man with no full-brother dies and leaves no sons, or sons too young to inherit, then the inheritance passes to a linked half-brother; to a half-brother linked by blood if there is one, if there is not then to one linked by exchange of cows.

771 Religion enters continually into family life and helps to maintain wider kinship bonds also. The Nyakyusa religion falls, broadly, into three parts: The Ancestor cult, Witchcraft and Magic. Taken as a whole their religion, as they believe, secures for them many of the most important values of life, health, good crops and success in various enterprises; it provides an intelligible explanation of death and misfortune by tracing them to the ill-will either of the ancestral spirits or of living men acting through witchcraft or magic; in its rituals it resolves fear and replaces it by hope and confidence; while the believed destructive action of the ancestors and of men is generally, though not entirely, linked with morality.[29] The commonest explanation of misfortune is that some wrong done by the victim, or by his close kinsmen, has provoked the spirits or his fellow men to anger.

769 As long as a man has alive a father, a father's full-brother, or a senior
783 brother or half-brother[30] of his own, this senior kinsman deals with the ancestral spirits, not only on his behalf, but also on behalf of his wives and children; and health is the chief value which his prayers are believed to secure for them. In the absence of sickness or misfortune no appeal is

[29] cf. Godfrey Wilson, "An African Morality," *Africa*, Jan. 1936.
[30] Provided the relationship between them has not been legally broken (vide supra).

8:Wilson E-5 (1934-1936)1936 FN17 Ngonde FN17
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tion reveals the presence of some sons of other men's villages as well. Brothers, half-brothers and other relatives are sometimes members of the same village, but more often not; and if they do belong to the same village that is because they are near each other in age, and were born in the same village, not because they are kinsmen.

The members of the boys' village, which is now closed and no longer increases in numbers, continue to grow older, and after a time they begin to get married. Getting married, as we have seen, is often a gradual process; but it is not until he has his wife permanently with him that a young man can have fields of his own and eat their produce at his own place. The cultivation of land requires the co-operation of man and woman, cooking on any elaborate scale is a woman's business.

As the members of a boys' village marry the village does not move but it expands. The houses are built ever bigger and further apart and the adjacent land is brought under cultivation. The boys' village with which I am best acquainted is in this transitional stage; it has fifty-three members altogether, the majority of whom are single, but some few are married, cultivate their own fields with their wives and eat food cooked by their wives in their own houses. Of those who are single some again are betrothed to girls who visit them from time to time, but each still cultivates his father's fields, and eats at his father's home.

(c) *The Men's Village*

It is now necessary to understand the system of men's villages and the general political organization in which the boys' villages finally take their place.

The number of age-villages in one chiefdom, all the members of which are married, varies with different circumstances, but the most usual number is from six to twelve. The age system is only broken by moving or by death; when a man dies his heir usually comes and lives where the dead man was living in his age-village. There he inherits the wives, the huts, the cows and the land of his predecessor, he inherits the dead man's position in the village and often takes his personal name as well. The heir may be many years younger than his new neighbours but he is now treated as their contemporary, he sits with them at ceremonies, he shares their rights at any division of meat. The age system in the village is also broken by moving, for a stranger may come and be granted land in a village even though he is considerably older or younger than the bulk of its members. But otherwise members of a village are roughly contemporaries.

9: Wilson E-5 (1934-1955) 1959
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177 Kituli, and Kabula still remained somewhat detached. In genera-
631 tion IV the second heir, Mwabungulu (178), has moved out to the
561 forest and the area occupied and ruled by Mwaijonga and Mwai-
popo is still one, with a division between Lupando and Iringa.
Kibonde is fully absorbed into Lupando, and Kituli and Kabula
into Iringa—no descendants of Mwakipesile of Kibonde and
Mwakabule of Kituli went through the 'coming out' with Mwan-
yilu as chiefs. Kibonde, Kituli, and Kabula are subdivided
into age-villages of three generations, but these are not shown
on the plan. They are spoken of by outsiders by the inclusive
names.

561 To a European the most surprising fact about the age-organiza-
428 tion is that a young man of the ruling generation may still choose
to move into the homestead of his deceased father or elder brother.
We knew one young man, who had been spoken of as a possible
village headman at the coming out of Mwanyilu, but shortly
before the 'coming out' he chose to move into the homestead of his
deceased father in Lupando village (where his father in turn had
inherited) even though he might have inherited his father's
wealth in wives and stock and returned to his own village of
Mwaiko, after completing the ritual of death and inheritance. Our
informants insisted that, though the young men might rule, the
older generation were the more honoured, and in inheriting from
his father this man was classified as a member of his father's
generation. Nevertheless many young men do not choose to move
into the village of the father or elder brother from whom they
inherit, and the villages of old men decrease in size and finally
disappear altogether.

602 The relation between kinship and territorial grouping cannot
361 easily be indicated by plans and genealogies for though in theory
166 each village consists of 'sons' of a village of the previous
561 generation (as shown in the table facing p. 31) there is con-
631 siderable movement from one village to another, and the members
of any adult village usually prove to have come from a number of
different villages, though a boy's village consists of sons of adjoin-
ing villages. The table of members of three of the villages of
Mwaipopo's chiefdom illustrates this (*vide* pp. 214-6). An analysis
of genealogies showing where different members live gives much the
same picture. Though the shortage of land in the coffee-growing
chiefdoms of the hills and the rice-growing chiefdoms of the plain
is tending to obliterate the age-village organization, the old

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[177] that they have always been cattle men and they need no instruction on cattle. The tension over stock limitation and soil conservation, so acute in many parts of Africa, is only just appearing [232] [242] in Rungwe district, but potentially it is serious.

Pressure on land, and the planting of a valuable long-term crop such as coffee, have undermined the traditional organization of [341] [361] age-villages. The old men are no longer prepared to move to make way for their sons and, without a new deal in land each [61] generation, the territorial separation of the generations is blurred. Boys villages are no longer visible in the hills near Rungwe mission, partly because so many young men are away, either at school or in employment, but largely because most of the land is taken up with coffee gardens. Homesteads are being built further apart as men lay out coffee round their houses, and sons often build on a corner of their father's estate instead of in a separate village. On the plain, also, the pressure of population blurs the boundaries between generations. Only in the least heavily populated middle belt are numerous boys' villages still clearly visible, and here too a 'coming out' has recently been celebrated, with some redistribution of land. The scarcest land, that in old volcanic craters, was always inherited, like cattle, not reallocated each generation, and almost all cultivated land is now treated in this way. In many chiefdoms, therefore, a young man looks to his father or senior brother for land, rather than to the village headman, and inheritance is supremely important. But the form of [428] inheritance is changing: property now goes directly from father to son, not as formerly to each of a group of full brothers before reverting to the senior son of the eldest of them. The claims of more distant kinsmen on inherited stock are less than they used to be; such stock becomes the exclusive property of father and sons, rather than property in which members of a lineage of three or [613] four generations have reciprocal rights. The main economic bond which held the lineage together, the exchange of cattle, is thus broken.

Formerly a marriage was a contract between lineages rather [583] than between individuals. A girl was betrothed before puberty to a [581] man of her father's choice and should he die she was still regarded as married to his heir. Should she die a sister replaced her. Ideally a marriage bond between lineages lasted for generations, each man who died being replaced by a brother or son, each woman by a sister or brother's daughter. The choice of a partner in marriage

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631 638 Age-villages combined to form a chiefdom under the hereditary chief, *mwanangwile*, but active co-operation between villages from unrelated 'ward' clans was slight; indeed in the larger chiefdoms there commonly existed considerable animosity which might break out in raiding or even civil war. The integrity of these larger chiefdoms was weak – for example, when the Nyakyusa were attacked by Ngoni war-parties, and later by the Germans, villages of the same chiefdom conspicuously failed to join in common defence. Similarly the land affairs of one village were no concern of any other, and each jealously guarded its own rights.

631 163 Size of the chiefdoms was large; smallness of scale is typical of Nyakyusa political organization and social attitudes. In 1931 the smallest indigenous chiefdom contained only 36 men. In 1941 11,700 people were divided amongst about 11 indigenous chiefs, but undoubtedly had not the Colonial Government frozen the system there would have been rather more – at least five more. Today there are 12 recognized "administrative chiefs", amongst whom five have each less than 3,000 people under them, and the largest chiefdom contains fewer than 10,000 people – the average is just over 4,000 people.

631 241 Nevertheless the chiefdom, the collection of villages, was important, because in the creation of the chiefdom villages were created, and in its development the villages developed, matured and died away. A village survived only so long as its members lived and by the nature of the age-organization there was but little possibility of the recruitment of new members, for villagers' sons left to form their own new villages. These were eventually come to comprise the core of the new chiefdom.

642 [illegible] In connection with the constitution of a Nyakyusa village and with land tenure, the significant feature of the chiefdom was its establishment, together with the induction of a new chief, at the great "coming-out" ceremony, *ukwimika*. In brief, each chief was succeeded by two of his sons – the eldest son of each of the senior houses of the chief, i.e., of his first two wives. At the "coming-out" ceremony, when the sons were still young men and their father was not a particularly old man, the old chiefdom was divided into two, each part coming under one of the new young chiefs. Before the critical ceremony – at which much important ritual was performed – the younger sons of the old chiefdom had already moved away from their fathers' villages and had established their own incipient villages nearby, each one consisting a group of cowals. A Nyakyusa boy from the age of about seven years could not continue to live with his father and mother, but, in company with his agemates, built his own hut on a site adjacent to the main village as indicated by the fathers' headmen. Until the "coming-out" ceremony these youths' villages were under the control of the old village headmen; but with the induction of the new chiefs they achieved independent status, each with its own headman appointed from among its members by the old headmen. Each new village was allocated a new building site and a new arable area, and quite commonly the old villagers, the older men, moved away a little in order to give the younger men adequate access to the land, for it was considered that the young men's needs for land were permanent.

631 [illegible] After this wholesale reorganization of the old chiefdom, when new villages were established and new boundaries demarcated,[1] the old chief himself, the old headmen and the older men (the "fathers") gradually retired from active public life. The old chief was supposed to commit suicide after a time (or was quietly killed off) in order to leave the field clear for his sons; the old headmen became the religious and ritual leaders of the new chiefdoms, with the favour of older homosexuality, and the old men's

1. In the "coming-out" of a male child, [illegible] [illegible] [illegible]

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land ceremonially reverted to the common pool. An established village might decide to use part of it perhaps, but not before prudently gaining the approval of the headman, lest the migrant secure later and sinister title of unlawful and unfriendly seizure. If the headman agreed, as he would after a time in most cases, the newly acquired plot became part of that villager's holding with an secure a title as the rest. Such vacated land could also be allocated by the headman to a newcomer or, before the core village was established, to the son of a villager.

If a man had more land than he could cultivate – because, for example, his sons had left him to cultivate in their own villages, or his wife had died – he was under no essential obligation to give up any part. The headman might, if the need arose, try to persuade him to release a portion in order to make it available to someone in need; but the land-holder could refuse and the headman had to accept his refusal. As a chief depended on the support of his headmen, so did a headman's position ultimately depend upon at least the passive support of his villagers, from whose ranks he was chosen.

At the next "coming-out" ceremony the sons of a village of the old dispensation might be required to move aside in order to allow the young men, their sons, to take up the better building sites and farming land. This they traditionally did voluntarily and they built new homesteads on one side and cleared new arable plots. Once re-established in this manner, these older men would not be disturbed again and they remained secure in their new holdings. How often in fact such a displacement took place I cannot say, but it certainly seems to have occurred sometimes, for one can still trace old village sites which appear to bear out the common Nyakyusa story.

In all this it must be remembered that the spirit of village unity and comradery was held in far higher esteem than land in such a fertile country where land was plentiful and subsistence farming required but small-sized holdings. Security of tenure and defined rights to particular plots are notions belonging to a different situation and age, when land begins to be scarce and to have an economic value, and when there is danger of men not being able to obtain as much as they need roughly where they need it.

Newcomers were invariably welcomed to a village: they were supplied with a house site and an arable holding and were assisted with food until the first harvest. They were an addition to the numerical size and physical strength of the village, and they increased a headman's prestige. Their rights were no less assured than those of founder-members of the village, although their social position was less secure, at least at first, for they had not shared in the history of the community and had not grown up with the ties of village association and comradeship amounting almost to kinship.

Traditional rights in trees may be mentioned briefly. Trees were inherited without difficulty along with the land on which they stood, and a brother or son would commonly inherit the deceased's valuable trees without bothering to take the arable land around. If a man left his village and thus forfeited his land there, the position was different. Banana trees went with the land and a new occupant simply took them over; bananas are of so great value as they grow so readily and ubiquitously. Bamboos are more valuable (being used extensively in house-building) and any left behind in this way could be claimed in the first instance not by the village but by the chief. If the chief wanted them they became his property, or he could grant them to any man he favoured. Usually a chief was content to leave them: then the local kinsmen of the departed man had first claim, and if they had no use for them, or if no kinsmen were resident in the village, they became village property to be allocated by the headman. Ujyangeti trees* were regarded in

* These are wayside shade trees planted by the forebears of the Lake Malawi, the botanical name of which I do not know.

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CHAPTER IV

THE RESULTS OF LAND SHORTAGE

311 As indicated in the short outline of traditional land tenure in Chapter II, the system developed and worked adequately in the old situation (both before and after European conquest) when land was plentiful in relation to the people's demands. Any villager who wanted land had the right to be allocated fields; any established villager who wished to expand his cultivation could do so without difficulty. Movement between villages was easy, and especially after the establishment of European peace, for everywhere newcomers were welcomed to increase the strength and prestige of the village, and land was available for them. The young men in their age-villages were able to obtain sufficient arable land and they were able to establish their economic independence after marriage, if not earlier. Because land was plentiful there was little real concern for security of tenure and disputes over land were both uncommon and unimportant.

By 1955 the basic fact was that there was insufficient land to meet the people's requirements in the alluvial flood plains – as also in many Highland areas – and there remained little or no unused land which could be taken into cultivation.

Inheritance of Land

In these earlier and more spacious days, inheritance was chiefly significant in movable property – cattle pre-eminently, and goats, money and other goods – and also in the matter of widows and the custody of children. The rules of inheritance were the same in principle for all this property. Inheritance was by groups of full-brothers rather than by individuals, and therefore when a man died, his sons, his widows and his wealth were taken by the eldest surviving full-brother; failing a full-brother, a half-brother would inherit (the eldest surviving at the time). Only when all the deceased's brothers were dead, or if they had moved away and severed practical relations, were the dead man's sons able to take up the property in their own right. Then each group of full-brothers tended to inherit as separate, corporate groups. Although the separation into "houses" was not as strong and notable as amongst some African peoples,[1] yet there was a fairly strong solidarity between full-brothers such that, for instance, their cattle were regarded as a distinct and separate herd, over which the senior brother had principal control and in which half-brothers had little direct rights.

Originally land inheritance did not follow this scheme because it was an unimportant matter, for ideally a man obtained his building plot and arable land at the time of the formal establishment of his age-village, and he preferred if possible to continue to live amongst his cowals. Consequently, when a man died, his brothers and his sons and nephews normally had land of their own and did not wish for more elsewhere, especially as the deceased's land would probably be in another age-village. Out of respect for the dead man and his contemporaries, the chief heir often made a token residence at the deceased's homestead and then, after a brief period, would obtain the approval of the villagers to return to his own village and building again – perhaps at the cost of some beer or a goat. Sometimes the heir or another member of the lineage might take the opportunity to leave his own village

1. See Wilson, M. 1936, pp. 1-18, 27; also see The Family Herds, London, 1951, Chapters I and 4, for a description of a strong corporate "house" system.

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(e.g. for fear of witchcraft) and take up the vacant holding. Nevertheless in general the holding was allowed to lapse and it could be re-allocated by the village headman if need arose; or the elderly widows might be allowed to continue to reside and cultivate as long as they wished.

Once land began to become scarce and valuable this loose system could no longer continue. Junior brothers and half-brothers were no longer content to permit the chief heir to take the whole of the deceased's holding to do with it as he wished, and a systematised division had to be adopted. At first, naturally enough, land was gradually brought under the same system which controlled the inheritance of other property, but this proved inadequate – inadequate not only in itself as being, perhaps, too complicated and conducive of disagreement and quarrelling in so far as land is concerned, but also because that system itself was already beginning to break down under the impact of individualism.

It was felt that because sons assist their father in his homestead and fields and in their turn rely on him for a share in the cash-and-kind profits of peasant farming, therefore they should have priority in the inheritance of their father's property. Their father's brothers, it was said, would in any case already have their own holdings in which likewise their sons have prime interest. Conversely, older Nyakyusa men began to be reluctant to take a brother's land (and other property too) on his death, for fear that, in their turn, control of their own land would descend at their deaths to their brothers' sons rather than to their own sons.

As a result of these attitudes a strong desire arose to modify the customary laws in this matter, and the Rungwe African District Council, with the approval of the Government, has by formal resolution established a new law under which sons may inherit direct from their own fathers.

This law is not universally accepted by the Nyakyusa of the Lake Plains and sons still will sometimes waive their novel rights in favour of the traditional claims of their fathers' brothers. They say that they do not desire to see the break up of the wider lineage which, in effect, this new law encourages; they are also afraid of the anger and jealousy, and thus of the witchcraft, of their uncles. It appears however that the change is accepted by the large majority of the people, for it follows the trend of modern values and kinship sentiments.

The principal heir is now the eldest son, but in general he has little direct control over the property and land of his half-brothers unless they are still young, in which case he has a moral duty to act as guardian and custodian. Sons inherit that part of the paternal holding which had been allocated to their mother by their father in his lifetime, plus any other pieces he might have given to any of them direct as individuals. Each group of full-brothers determines the way in which it divides up its own inheritance. The eldest brother of such a house has a definite obligation to see that his juniors obtain shares of the land in so far as its extent and their number will allow. On the whole it is expected by Nyakyusa that the eldest brother will secure the best holding for himself, as befits his new status, but he cannot deny his younger brothers' claims. Disputes in this matter are not uncommon and the local courts have already shown their determination to support the claims of younger brothers.

Very commonly – though it has not yet crystallised as compulsory social behaviour – a father will grant a portion of his holding to his son on the latter's marriage, or as soon after as the son decides to give up labour migration and settle down. It is thought that a married man should be independent economically and that he should be able to maintain his own household; it is realised that there is most likely to be friction in the relations between father and son, especially in this society where it is traditionally

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423 believed that parents and children should live apart.[1] In the same way, and
428 for similar reasons, an elder brother tries to make provision for his junior
[583] where the latter marries if their father is already dead. The practice of the father is not a legally required one, although it is nowadays increasingly common and sons have begun to expect it: the practice of an elder brother is now legally required in the matter of land and probably always has been in the matter of cattle.

[440] The difficulties are obvious when a man dies and leaves several sons but only a small-sized holding. To date no clear ruling has emerged and unfortunately the African District Council did not deal specifically with such details when introducing the new law. How much land an eldest brother can reasonably retain for himself is perhaps not determinable in practice except in specific relation to the nature, locality and fertility of the holding in question, the plots already held by the man himself, the needs and number of the younger brothers and any holdings they may have, and the location of the villages in which they severally live. There is also plenty [574] of scope for disagreement between half-brothers over portions of the paternal holding which had been retained by the father himself for his own use; over portions allocated to a wife who has borne no sons or whose sons have died, and over permanent trees. The situation is still fluid and there has not yet been time enough for a common and generally acceptable solution to be established. Consequently each group of sons tries to solve its own particular problems in this matter as best it can, torn between old values and new attitudes and needs.

593 Relations between both full-brothers and half-brothers tend often to
428 be severely tried at times of inheritance. It is not primarily, I think, a case of brothers' greed for valued land tending to overcome bonds of fraternity and co-operation; but it is rather that a father's arable holding is often not able to provide adequate amounts of arable land for each of his sons, and yet they find the very greatest difficulty in obtaining land elsewhere. Already [182] the traditional kin-group comprising the sons and grandsons of a group of full-brothers had begun to break down even before land shortage became serious. Now the group of full-brothers itself tends to be dispersed as men obtain land where they can and it is endangered by dissensions over land rights and land division. Increasingly, it seems, a Nyakyusa man is becoming detached from his brothers and he tends to establish an independent family unit comprising his immediate family alone – that is, himself with his wives and children. We cannot attribute the whole cause of this modern trend to land shortage and economic difficulties, of course, for involved also are new ideas of individualism and of personal effort and reward, and the decreasing need for the consistent support of brothers in social, economic and ritual activities.

578 Younger brothers may, and sometimes do in fact, agree that the
423 paternal holding is already too small for further sub-division, or that the small parts which can be made available to them are scarcely worth having –
428 especially if they live some distance away. On the other hand, the eldest brother may already have obtained a holding in his own village and is therefore willing to make only a small claim or none at all in the interests of his juniors, and he may then divide the inheritance amongst them alone. Usually, so acute is the dearth of land, the holding is divided between two [311] or more brothers. It is split into small plots so that each brother has a share of paddy, food-crop and banana land, and these are commonly a half acre or even less in size nowadays. As already mentioned, by a kind of modern [696] equity the local African courts generally favour the claims of the younger

1. See Wilson, M., 1951, p. 139 and passim. "The overt purpose [of age-villages] is the separation of sons and mothers, of fathers-in-law and daughters-in-law." (Ibid p. 140).

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brothers, and this is compelling the increasing and continual fragmentation of holdings at time of inheritance. Even so, if there are several brothers (i.e., sons of the deceased) the youngest among them may still be unable to obtain a plot, or at least not one of an economically viable size, and they are then compelled to try to gain admittance to some other village as newcomers, there to be allocated land.

The shortage of land is, therefore, not only making inheritance very considerably more important, but it is assisting in the establishment of new kinship attitudes and a redefining of fraternal relations. The position is most confused at the moment as the old system continues to exist alongside the new, sometimes more or less successfully, but often in intractable opposition. At the present time the observer can only mention general tendencies, for it is impossible as yet to foresee what the eventual result will be, and there are, in any case, many other factors involved besides those of the inheritance of scarce land.

In so far as we are primarily concerned with land problems in this essay, the basic factors are that land is newly scarce, that there is virtually no alternative activity in the country to the arable use of the land, and that therefore each son must try to obtain a share in the often inadequate holding of his father. I suggest that no form of inheritance can deal with such a situation satisfactorily – at least it is highly doubtful if any has yet emerged in an area of land shortage in Eastern Africa – and that there are bound to be severe difficulties and a deterioration of inter-personal relations between near kinsmen who are most in competition. The new inheritance law of the Nyakyusa has narrowed the range of potential conflict from the patrilineal descendants of a grandfather to the sons of a single father; but if it has obviated possible hostility between the generations and between paternal cousins, it has also removed much of the common interest and mutual interdependence between them.

The Right to Land, and the Authority of the Village Headman

Although the traditional principle still exists that every villager has a right to arable land within the village boundaries, yet it is no longer possible to carry it out in practice. Every village headman, in my experience, attempts to ensure that each of his men has land, but he cannot always succeed, and most especially he cannot provide every one with as much land as he would like, because of sheer spatial limitation.

Nowhere any longer does the old principle now hold that an established villager may, without permission or notification, take vacant land into cultivation as part of his holding. When land becomes vacant it must now revert immediately to the village as a group, that is to the common pool from which the headman as village authority makes allocations. There are so many and such varied demands for land nowadays that no man acting on his own can presume to take up vacant land, and only the headman may decide allocation. No person can now obtain land, whether he be an established villager or not, unless he is allocated it by the headman – or, in the many large villages typical of the Lake Plains, by the headman's assistant, *ngwakyisa*, who is delegated authority in a section of the village.

Land becomes vacant when a man shifts to another village, when a man dies and leaves no active heir who desires to take up the deceased's holding, or (but seldom today) when a man gives up part of his holding due to his inability to use the whole of it. In all these cases the land is immediately re-allocated by the headman, probably not as a single unit any longer, as best he can among a crowd of land-hungry villagers – established men seeking extra land to meet the needs of growing families or for increasing cash-crop

630 production, young men seeking their own independent holding, and new-
311 comers to the village who seek to settle there.
423 The modern shortage of land has therefore considerably increased the authority and the activities of the village headman. Nowadays he is the prime mover in all changes in land-holding, other than by inheritance or temporary loans and gifts. In these latter, and particularly in inheritance, he has consistently become an important contested party whose influence cannot be ignored, whose approval is desired and whose assistance is frequently sought both as arbiter and witness. Much more than before, and directly because of the scarcity and value of land today, he is the principal controller and allocator of land - though, of course, he remains subject to the mere of public feeling and the opinions of his villagers. His position has been further strengthened by his status as the base of the administrative hierarchy in modern local government, whereby he is given executive responsibility for his village and its people. As always, disputes over land are taken before him in the first instance and here he acts not only as a judge but also as the expositor of village opinion and public knowledge. Such disputes are increasing in number, giving him more work and responsibility and also more opportunity for the expression of his status. Meanwhile his traditionally crucial ritual and magical (anti-witchcraft) powers continue, though now in somewhat attenuated form.

Fragmentation and Dispersion of Holdings

423 It has been shown how the inheritance of land, now of increasing
• 423 importance, results normally in the splitting up of a man's holding.[1] Whether
459 a young man obtains an inherited share of his father's land or he obtains
311 an allocation in another village, in one is likely to be small - smaller than the holdings of his father's generation. Tiny, uneconomic plots are to be seen everywhere in the flood plains.

At the same time a man's holding is tending to comprise a scattered, heterogeneous collection of small plots, as he has obtained land where and where he could. An actual example will illustrate this: a young man had about a tenth of an acre behind his house on which he was growing maize and beans; he had about a quarter of an acre which was his share of his
341 deceased father's land, and another quarter of an acre which had been
343 allocated to him by the headman when a vacated holding was split up, and on both of these he cultivated paddy. This man had only small hope of obtaining more land, unless one of his brothers died without sons, for he had already been allotted by the headman a share in a recently vacated holding on the grounds that, unlike many of his contemporaries, he already had at least some arable land.

Even amongst older men the holding of scattered plots is common. This is partly the result of the earlier expansion of cultivation when the formerly unused lands were put under paddy, and partly because older men too, lose an opportunity, in the face of scarcity, to take up any land they can. The Nyakyusa ideal is to have a single large holding, preferably stretching away behind the homestead - or alternatively two fields, one for paddy and in the open plains and one for food crops nearer home. This ideal becomes less and less practicable. There seems to be little or no need for this scatter of plots on account of soil and fertility differences, for these are generally few and unimportant within the area of a single village.

311 In my sample villages the average number of separate plots was about
423 three per holding. There was a notable difference between villages in relation to the average size of villagers' holdings. Where land was more plentiful the

1. Of course a male may not in reality be inheriting a share of his father's land, but may be allocated land by the headman in the village where his father's holding is situated, or he may be given land by his father's brother or other kinsman.

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Security of tenure has continued into European times, and although perhaps weakened slightly in one way through the exaggerated powers which accrue to modern Government-supported chiefs, it has been strengthened by the modern peace and rule of law and the more efficient system of justice provided by the established local courts. According to G. Wilson (Wilson, G., 1938, p. 32) the increase in the movement of individuals between villages in earlier European times (i.e., up to about 1940-45) directly caused a lack of attachment to individual plots, and thus security of tenure was not considered particularly important.

The new situation of land shortage does not affect the basic position, or rather, by producing a high scarcity value on land, it has brought about an intensification of individuals' rights over their holdings. No longer does a chief or headman attempt to commit such illegal acts as the seizure of a villager's field, as long as that villager is not afraid to publicise the affair. A man is not, and cannot afford to be, prepared to lose his field, for he cannot replace it with any certainty, either in a convenient location or elsewhere. A headman may sometimes bring strong pressure to bear on some of the men of his village to try to persuade them to give up portions of their land to assist a newcomer or a landless neighbour, but a villager can and does refuse and there is no legal authority which can override him here. As the land shortage becomes more obvious and more acute as men become less willing to allow their holdings to be touched for any reason, by anyone. The re-allocation of a "coming-out" ceremony appears to have been dropped nowadays[1] and thus a man holds his land undisturbed until his death, when it passes by inheritance to his sons. There are cases now where grandsons of the original holder occupy land through undisturbed and undisputed inheritance. A man can, as he wishes, loan a kinsman or friend a plot in his holding, or he can make an outright gift. The principal reservation which remains is that a man must continue to live in the village in order to retain these rights; he must relinquish them if he permanently goes to live elsewhere. Nevertheless, the land of a well-established villager would be kept for him pending his hoped-for return, for if he has left in embrace and fear because of suspected witchcraft, then he may be persuaded to come back after a time. The headman and his neighbours should in fact persist in their attempts to persuade him, even to the use of force, for this is not only a moral duty of age-mates and fellow-villagers but is also an effort to remove the implications of their alleged witchcraft and anti-social conduct.

Once, therefore, a man obtains land he has absolute rights in it during his continued residence in the village. Especially today, older men seldom shift their homes and almost all land is now held on a tenure which will be passed on by inheritance.

Boundary disputes are few. Usually, and increasingly, village boundaries are well known, and field boundaries invariably are. During my field measurements in the sample villages, I never met any difficulty with my local teams in quickly establishing the ownership and exact limits of any plot. Boundaries are usually marked by small ridges of accumulated debris or by narrow paths, and these form an intricate and irregular network throughout a village's arable area. They are so well known that there is very little scope for a greedy man to attempt to encroach on a neighbour's holding at hoeing time. If minor disagreements do arise at that season they can be immediately settled – by appeal to neighbours working nearby if necessary – and the headman or his assistant may well not be called in at all.

1. This is the case in the Lake Plain, in some of the more conservative Highland chiefdoms where the new economy is less advanced and land scarcity is not serious, there still appears to be some re-allocation in favour of the young men in the traditional way. In general, however, it is clear that the traditional age-village system of land allocation is obsolete, see pages 240.

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as determined by the village headman. But even building sites with the essentially associated banana groves are becoming increasingly scarce and valuable, for no one desires to decrease the amount of arable by enlarging the built-up areas - rather the reverse. The number of young men's villages is therefore diminishing and congestion of their huts is increasing to the stage very often where no more than a narrow passage is left between adjacent houses. There seems to be a wider age range in the young men's hamlets where, often, a large village provides only one for all its sons. Smaller villages sometimes provide no accommodation at all for their sons, who are thus compelled to seek membership of a neighbouring group. These hamlets are mainly regarded nowadays as temporary residential areas for the young men until such time as they move on to an existing building - their father's or some other. There is therefore no attempt to provide sufficient space for an adequate banana grove with each young man's house, let alone a food-crop plot behind it. The arable land beyond the congested huts already belongs to inhabitants of the main village. When a young man is able to leave and take up a building, his vacated site (together, often, with the hut) is taken over by a waiting youth who has probably been sharing with another hitherto.

These young men's hamlets do not, any longer, eventually mature and become villagers in their own right with their own headman and arable lands. Formerly, when this occurred, they would probably have taken over a good deal of the lands of the old village, as the young men exercised the privileges of their new maturity against their elders with the emergence of the new chiefdom. New chiefdoms, and with them new villages, no longer emerge, and this is mainly because Government has prohibited the bifurcation of petty chiefdoms on the death of the old chief, as it is considered inconsistent with the development of stable, modern local government. Additionally, however, the shortage of land can no longer allow of the traditional expanding politico-territorial organisation. The elder men's villagers are not now prepared to yield ground to the young men, and the latter cannot expand elsewhere. Thus political requirements and land restriction work together to make the old system obsolete and to freeze the spatial distribution of villages as it existed in early European times. As far as I could ascertain in the chiefdoms of the Lake Plains, probably no new village had emerged in the past 20 or more years, except for a few cases of large ones splitting into two for administrative and social convenience. Many villages there date back to pre-European days often now under the son, or even the grandson, of the original headman (though this is not essential or invariable in any way).

The age-basis of the Nyakyusa village is thus disappearing; indeed, in many villagers it has already disappeared in everything but the young men's hamlets. Where the process has gone least far, there is still apparent a rough division of the single village into the *old men's sector* (men at least 50 years of age, and many much older); *the middle-aged men's sector* (men between about 30 and 50 years old, being the younger brothers or elder sons of the old men); and the young men's and youths' sector. On inheritance, sons tend to show a continued reluctance to move and live on their father's house-site and to become immediate neighbours of older men; they avoid it if possible, often allowing a middle-aged man to shift there instead. Nevertheless even this sort of age-division is rapidly vanishing and in very many villages a man's neighbour may be of any age.

We have seen that inheritance is now one of the chief methods of obtaining land. Under the new inheritance rules, this means that sons follow their fathers and take up their fathers' arable holdings, building sites and banana groves. Some young men inherit early, others inherit late; there is no longer any notion or possibility of the younger generation entering into its

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land as like. Young men compete with one another, with their elder brothers and with their fathers for allocations of land left vacant. We also saw, however, that often in the larger families not all the sons are able to get a share of the paternal holding, or at least not a share of practicable size. These younger sons are forced to resort to trying to obtain vacant land elsewhere – possibly within the same village, but as often as not outside. Finally, the young man on his new holding may find his neighbours to be of any age; certainly they will not have been members of his own original conval hamlet.

The way for this changing concept of village life and the new sort of village was prepared in the years before land shortage became important. The changed political system has been briefly noted already, but no less important was the great increase in inter-village movement in earlier European days when peace and personal security had been established. During this period Wilson (1938, page 32) reckoned that perhaps 80 per cent. of Nyakyusa shifted at least once from the place where they first obtained fields. This estimate, whilst perhaps holding good for Highland Nyakyusa amongst whom Wilson mainly worked, was too high for the people of the Lake Plains, where about 40 per cent. is more correct according to my genealogical and village surveys. That is still a relatively high degree of mobility for a mainly subsistence, peasant society such as it was in those years. It is clear that the pseudo-fraternal bond of conviviality could not persist as a main element of village life and consciousness, when in fact as many as half of the members of a village were not original conval founders but had come in from elsewhere. Before the land shortage, movement did not entail the shifting of young men to other young men's villages, or of elder men to other elder men's villages. It was, at least eventually, promiscuous movement, ignoring age categories. The compulsions of land shortage seem, in retrospect, only to have followed existing lines of village development and to have begun the completion of the process.

In the Lake Plains, therefore, the village persists as a close, territorial, land-owning group and as a specific cluster of homesteads and huts, usually with a village street, the whole closely hemmed in by continuous banana groves. Beyond this lie the arable lands, usually food-crop fields nearby and paddy fields farther off. In jealously protecting what it already holds, the village has gained a new exclusiveness, for the security of the individual land-holder is maintained by the corporate ownership of the village and by excluding outsiders as far as possible. On the other hand, it is no longer an age-village either in fact or intention, and it cannot be, for age-villages were consistent only with an expanding territorial system and a subsistence economy.

This brief analysis of Nyakyusa village organization in recent times applies only to the Lake Plains. In some parts of both the Central Region and the Northern Highlands the age-basis of Nyakyusa villages had most probably already been seriously weakened in pre-European times.[2] On the other hand, elsewhere, and particularly in the more conservative parts less affected by modern trends and the cash economy, the traditional age-village still exists in something like its old form.

Land shortage has appeared in the Highlands together with a developing cash economy, but the basis of agricultural and economic change lies mainly in coffee cultivation which, of course, requires relatively smaller fields than does paddy in the Lake Plains, but it needs more care and attention from the grower for moderate success. As far as I could see in the course of

1. Perhaps it will the more common the older and many middle-aged men, and therefore a factor often [illegible] around 1900 to inherit.
2. According to elderly informants in Western Kabwe, Mwakaleli and some central chiefdoms, and also the evidence of old village sites.

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CHAPTER V

CONCLUSIONS AND SUGGESTIONS

Briefly to summarize the contemporary land situation: in the Lake Plains it may be said that in the main the traditional land tenure system and land law still continue as the basis of native land holding today. The essential factors in recent years has been the acute land shortage in relation to arable lands under the current system of agriculture. Village unity and village exclusiveness have been increased and so also has the authority of the village headman in his control and allocation of land rights. Security of tenure has been strengthened, if anything, and one of the most important methods of obtaining land is now by inheritance. The new law establishing inheritance from father to sons, whilst generally acceptable to the people, is producing a number of civil suits which form the greatest proportion of the more important land cases before the local courts.

The shortage of land is principally the result of increased demands for paddy (i.e. rain crop) cultivation, although the population appears to be increasing slowly. In the high density regions almost all men have considerably less land than they could cultivate, especially under the impetus of the ox-plough, with the developing desires for money incomes. In the low density regions of the low foothills there is still some vacant or partly utilized land, though of very inferior quality for paddy cultivation. The shortage hits the younger men severely, and many of them cannot obtain land at all until the death or senility of their fathers. Fragmentation and dispersion of holdings is rapidly becoming serious and without check.

The first question which arises is whether anything can be done to ease the pressure of population on the country by making more land available, or by making its distribution more equitable.

The thinly populated parts of the northern region of the Lake Plains offer a meagre solution only, for the country is raised above the level of the flood plains and is often broken and hilly. Fertility is low, erosion is a constant danger and the paddy yield (if obtainable at all) is poor. Nyakyusa from the densely populated areas to south and east are therefore most unwilling to move there. In any case the available land, which remains safely and economically open to cultivation, is filling up fairly quickly – mainly by immigration. Certainly I do not think that it can supply sufficient space to meet modern needs. There is, however, no reason why immigrants should make a difficult situation worse, and therefore it is suggested that further immigration from outside the Lake Plains should be carefully controlled if not altogether prevented. Indubitably outsiders (almost entirely Nyakyusa from the Highlands) who hold land without permanent residence should be prohibited and their holdings reallocated to local inhabitants.

As I have already indicated (page 17), I do not think that the problem of men who hold unusually large acreages is particularly serious. Such large holdings are relatively few and will be inevitably split up by inheritance on the deaths of the present occupiers.

In the flood plains proper there is, so far as I am aware, extremely little new land which could be brought under cultivation. Mechanical assistance in the clearance of dense reed thicket[1] and in drainage schemes would produce

1. These areas of thicket are heavily inundated in the wet season but, if cleared, could be used for a dry season crop.

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This is not the province of the Sociologist, and all that can be said here is that it seems the most practical and valuable policy that could be adopted: it should be made the chief line of attack on contemporary problems. Unfortunately the Nyakyusa do not appreciate the value of this sort of solution - at least not yet - and therefore they are not inclined to learn and to increase their efforts and to change their practices in the fields. They have not yet rid themselves of the notion that increased production of crops and thus increased profits from agriculture are correlated only with increased holdings. In view of the critical land shortage a crucial change of attitude and understanding is required. The Nyakyusa must learn that increased production and higher profits can come from new and more efficient techniques - i.e. intensive cultivation. They must also learn what is so difficult for the African, that quality of production is no less important than quantity and that therefore cash incomes and standards of living can be raised by improving the standard of crops to be sold. Indeed, with a tendency for world agricultural prices to fall due to increasing supply, quality of produce is of the greatest importance. This is notably so in the case of rice. Tanganyika African rice is reckoned as of lower quality than that from South-east Asia, which therefore commands not only the better price but also the main share of the keenly competitive market. But it is a difficult idea for the Nyakyusa to grasp. It seems obvious to them, inheriting attitudes of a former subsistence age, that three poor cattle are better than two good ones - and in fact so they were in the hazardous time of their grandfathers. Cash crop production is based on the same premise, but it cannot hold in a modern cash economy and in dealings with world markets.

If, however, the present land shortage continues unchecked by the successful introduction of new attitudes, ideas and techniques there may well be serious social and political repercussions in the not too distant future. Current schemes of tribal development will surely be rendered futile if economic activity is restricted and if land discontent is allowed to become important.

A second agricultural policy, and one of which less is heard, would be to stop the present dangerous monoculture - the preoccupation with paddy alone - and to attempt on a large scale to introduce second and third cash crops, particularly such crops as require intensive cultivation on small acreages. This may be forced on the people in any case if the gloomy prognostications of world rice prices are borne out in the next few years. Such a development would allow of a more stable economy and a more balanced agriculture, in addition to assisting towards a reduction of land difficulties. Experiments on a small scale in robusta coffee, palm oil and other crops have already been started by the Agricultural Department but, at least from the layman's point of view, they need priority in finance, attention and effort as a main part of an agricultural programme for the Lake Plains.

In the time available for my investigations it was not possible to enquire with sufficient care into the details and exact procedure of Nyakyusa land law (*cf.* page 3) and therefore I am reluctant to suggest any drastic changes. The new inheritance law (page 21) is a step in the right direction and is clearly in keeping with modern trends, but it is suggested that its detailed operation on the ground and in the courts should be studied by the Native Authority and the Administration in order to attempt to define its meaning more clearly and to reduce the number of disputes. In order to check fragmentation before it has gone too far, it should be considered whether some minimum limit might not be imposed on the size of fields. Voluntary schemes for the consolidation of holdings, which have achieved some success elsewhere in Africa, might also be considered. These would be particularly valuable in the